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September 28, 2018

Via ECF

The Honorable Gabriel W. Gorenstein
United States Magistrate Judge
Chief U.S. Magistrate Judge
Daniel Patrick Moynihan United States Courthouse
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

**Re: *O'Sullivan, et al. v. Deutsche Bank A.G., et al.*
1:17-cv-008709 (LTS) (GWG)**

Dear Judge Gorenstein:

Plaintiffs write to inform the Court of the responses from two offices within the Department of the Treasury to Plaintiffs' pending Motion for a Preservation Order pursuant to this Court's Order entered on July 20, 2018, namely the Office of the Comptroller of the Currency ("OCC") and the Office of Foreign Assets Control ("OFAC").

On September 27, 2018, Peter C. Koch, Assistant Director for Litigation for the Office of the Comptroller of the Currency, notified Plaintiffs via email that the OCC had voluntarily placed a litigation hold on all documents related to OCC Consent Order No. 2010-199 which was referenced in Plaintiffs' Memorandum in Support of Motion for a Preservation Order, Dkt # 130, filed May 25, 2018, and also that the OCC would, to the extent it is necessary, issue a second litigation hold with respect to OCC Consent Order No. 2012-262 (which is related to the 2010 consent order). That email and Plaintiffs' response is attached to this letter as **Exhibit A**.

On September 27, 2018, Stephen Cha-Kim, Assistant United States Attorney for the Southern District of New York, notified Plaintiffs via email that OFAC had voluntarily placed a litigation hold on all documents relating to its case files involving the Defendant banks. That email and Plaintiffs' response is attached to this letter as **Exhibit B**.

Based on the email responses from the OCC and OFAC, Plaintiffs no longer request the additional relief sought in their pending Motion for Preservation Order as it specifically relates to the preservation of documents and information in the custody or control of the OCC and OFAC. The attached emails from the OCC and OFAC indicating that they have implemented litigation holds renders Plaintiffs' request for a preservation order directed to those offices unnecessary at this time.

The Honorable Gabriel W. Gorenstein
September 28, 2018
Page 2

Plaintiffs' Motion for Preservation Order remains pending as it relates to the other offices within the Department of the Treasury (e.g., FinCEN) and the other agencies who have failed to respond or for which the deadline to respond has not yet passed.

Respectfully submitted,

/s/Christopher G. Paulos

Christopher G. Paulos

Counsel for Plaintiffs

cc: All Counsel of Record (via ECF)